

ENTERED

May 03, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

NABOR CRUZ-PEREZ,

Petitioner

VS.

UNITED STATES OF AMERICA

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CIVIL ACTION NO. 5:18-CV-86

CRIMINAL ACTION NO. 5:15-CR-1401-1


ORDER

On March 11, 2019, U.S. Magistrate Judge Sam S. Sheldon issued a Report and Recommendation in accordance with 28 U.S.C. § 636(b)(1) recommending that Petitioner's § 2255 Motion be denied. (Dkt. No. 11; Cr. Dkt. No. 85).¹ Additionally, the Report and Recommendation concluded that should Petitioner seek a certificate of appealability, it be denied. (*Id.* at 5). Neither Party filed objections to the Report and Recommendation.

Having found no plain error in the proposed findings and recommendations, the Court hereby **ADOPTS** the Report and Recommendation as the findings of the Court. Accordingly, Petitioner's § 2255 Motion (Dkt. No. 1; Cr. Dkt. No. 83) is **DENIED**, and this civil action is **DISMISSED WITH PREJUDICE**. Should Petitioner seek a certificate of appealability, it is **DENIED**.

It is so **ORDERED**.

SIGNED this 2nd day of May, 2019.



Marina Garcia Marmolejo
United States District Judge

¹ "Dkt. No." refers to the civil case, and "Cr. Dkt. No." refers to the criminal case.